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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,530	12/13/2001	Wayne C. Horn	2090.303	8165

7590 03/15/2004

Levin and Hawes, LLP.  
Suite 13  
385 Forest Ave.  
Laguna Beach, CA 92652

EXAMINER
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TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/017,530

Applicant(s)

HOM, WAYNE C.

Examiner

Quoc D Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leshner (3,917,911) in view of Kohen et al (4,823,380).

Consider claim 1, Leshner teaches an audio security system for a barrier entry communication system (Fig. 1) comprising: a) a movable security barrier that limits access to a restricted area to persons having appropriate authorization to enter the secured area (see Fig. 1, numeral 24); b) a barrier security apparatus operable to open said security barrier on activation after appropriate authorization (see Fig. 1, numeral 20); c) a first voice communication device located at said security barrier and whereby an individual at said security barrier desiring access to the restricted area can contact a location capable of granting authorization to enter the restricted area through said barrier using the public telephone system (see Fig. 1, numeral 22; col. 3 line 61 – col. 4 line 17); d) a second voice communication device at a location within said restricted access area capable of granting authorization to enter, operatively connected to said first voice communication device using the public telephone system (see Fig. 1, numeral 28; col. 3 line 61 – col. 4 line 17).

Leshner teaches a tone generator 32 for generating a tone to activate authorization access. Leshner failed to teach a voice modification mechanism available to said second voice

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communication device whereby a person at said second communication device when answering a call from said first voice communication device can modify the audio characteristics of a response for security purposes. However, Kohen et al teach a voice changer for use or integrated with a telephone for modifying the voice of the occupant (i.e., person at 2<sup>nd</sup> communication device) to a desired voice such as a male voice (see col. 1 lines 9-29; col. 3 lines 31-42; col. 4 lines 44-53).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kohen et al into view of Lesher in order to increase security.

Consider claim 2, Lesher teaches the system wherein the second communication device is a telephone connected to a public telephone system (col. 3 line 62 – col. 4 line 6).

Consider claim 3, Lesher teaches the system wherein said telephone connects into a public telephone system through said security system (Fig. 1; col. 3 lines 55 – col. 4 line 6).

Consider claim 4, Kohen et al teach the system wherein modification of the audio characteristics with said modification mechanisms involves playing a recorded message on receipt of a call by said second voice communication device from said first voice communication device (col. 4 lines 8-14, lines 35-43).

Consider claim 5, Kohen et al teach the system wherein modification of the audio characteristics with said modification mechanism involves changing the tonal qualities of the person speaking on said second communication device to make it appear that the person speaking is an adult (col. 3 lines 31-42).

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Consider claim 6, Kohen et al teach the system wherein modification of the audio characteristics with said modification mechanism involves changing the tonal qualities of the person speaking on said second communication device to make it appear that the person speaking is an adult male (col. 3 lines 31-42).

Consider claim 7, Leshner teaches the system wherein said barrier is a door (see Fig. 1).

Consider claim 8, Leshner teaches the system wherein said barrier is a gate (col. 1 lines 10-14).

Consider claim 10, Leshner teaches a method for secure communication by an occupant of a restricted area with a person at a gate entry apparatus of the restricted area (abstract), the method of communicating comprising the steps of: a) establishing a voice communication link between a location of an occupant of the secure area with a gate entry apparatus so that a person at said gate entry apparatus can establish a voice link with the occupant (see col. 3 line 61 – col. 4 line 10); and b) responding by the occupant to a call from a person at the gate by communicating in the normal voice of the occupant (see col. 4 lines 7-9).

Leshner did not suggest wherein the occupant may selectively response to the person at the gate via other means of communication. However, Kohen et al teach a voice changer for use or integrated with a telephone for selectively modifying the voice of the occupant (i.e., person at 2<sup>nd</sup> communication device) to a desired voice such as a male voice (see col. 1 lines 9-29; col. 3 lines 31-42; col. 4 lines 44-53).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kohen et al into view of Leshner in order to increase security.

Consider claim 11, Leshner failed to teach the method wherein the step of modifying the voice of the occupant responding comprises the step of modifying it so that the voice of a child sounds like an adult to the person arriving at the gate. However, Kohen et al teach a voice changer for use or integrated with a telephone for modifying the voice of the occupant (i.e., person at 2<sup>nd</sup> communication device) to a desired voice such as a male voice (see col. 1 lines 9-29; col. 3 lines 31-42; col. 4 lines 44-53). It should be noted that Kohen et al did not mention of a "child voice". However, one skill in the art would recognize that it would have been obvious to include such since children are usually like to answer telephone. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kohen et al into view of Leshner in order to increase security.

Consider claim 12, Leshner failed to teach wherein the step of modifying the voice of the occupant responding comprises the step of modifying it so that the voices of a child or female sounds like an adult male to the person arriving at the gate. However, Kohen et al teach a voice changer for use or integrated with a telephone for modifying the voice of the occupant (i.e., person at 2<sup>nd</sup> communication device) to a desired voice such as a male voice (see col. 1 lines 9-29; col. 3 lines 31-42; col. 4 lines 44-53). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kohen et al into view of Leshner in order to increase security.

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leshner (3,917,911) in view of Kohen et al (4,823,380) as applied to claim 1 above, and further in view of McNab et al (4,937,855).

Consider claim 9, Leshner and Kohen et al did not suggest the system wherein a video image of a person calling from said first communication device is provided to a person using said second communication device. However, McNab et al teach an integrated security system having telephone line and a video camera for use with building entrance (see Fig. 2). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of McNab et al into view of Leshner and Kohen et al in order to provide extra security by allow viewing actual image of the caller that is seeking entry.

***Response to Arguments***

4. Applicant's arguments filed 2/27/2004 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Leshner teaches a security entry system that reduces unauthorized entrance. This system provides occupant with some security. Whereas Kohen et al suggest an apparatus for use in the telephone or security entrance that enable the user (i.e., occupant) to disguise his/her voice in the communication for security purposes. Thus, both Leshner and Kohen et al try to solve a same purpose of providing security. Therefore, it would have been obvious to one of the ordinary skill in the art to combine their teaching.

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*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Facsimile responses should be faxed to:

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Hand-delivered responses should be brought to:

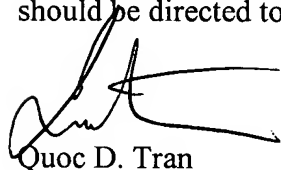
Crystal Park II, 2121 Crystal Drive

Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.



Quoc D. Tran

Patent Examiner AU 2643

March 13, 2004